IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TEXARKANA DIVISION

WILLIAM ALLEN SCRUGGS §

VS.

§ CIVIL ACTION NO. 5:06cv177

DIRECTOR, TDCJ-CID §

MEMORANDUM ORDER REGARDING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Petitioner William Allen Scruggs, an inmate confined at the Skyview Unit, proceeding *pro* se, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends the above-styled petition be dismissed.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED this 13th day of June, 2008.

DAVID FOLSOM

UNITED STATES DISTRICT JUDGE